	Application No.	Applicant(s)
Notice of Allowability	09/680,365	MAY, R. RAYMOND
	Examiner	Art Unit	
	JAGDISH PATEL	3624	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address--

All claims being allowable, PROSECUTION ON THE MERITS IS (OR REMAINS) CLOSED in this application. If not included herewith (or previously mailed), a Notice of Allowance (PTOL-85) or other appropriate communication will be mailed in due course. **THIS NOTICE OF ALLOWABILITY IS NOT A GRANT OF PATENT RIGHTS.** This application is subject to withdrawal from issue at the initiative of the Office or upon petition by the applicant. See 37 CFR 1.313 and MPEP 1308.

1. ☒ This communication is responsive to *9/15/04*.

2. ☒ The allowed claim(s) is/are *1-7*.

3. ☐ The drawings filed on _____ are accepted by the Examiner.

4. ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).

    a)☐ All   b)☐ Some*   c)☐ None of the:

       1. ☐ Certified copies of the priority documents have been received.

       2. ☐ Certified copies of the priority documents have been received in Application No. _____ .

       3. ☐ Copies of the certified copies of the priority documents have been received in this national stage application from the International Bureau (PCT Rule 17.2(a)).

    * Certified copies not received: _____ .

Applicant has THREE MONTHS FROM THE "MAILING DATE" of this communication to file a reply complying with the requirements noted below. Failure to timely comply will result in ABANDONMENT of this application. **THIS THREE-MONTH PERIOD IS NOT EXTENDABLE.**

5. ☐ A SUBSTITUTE OATH OR DECLARATION must be submitted. Note the attached EXAMINER'S AMENDMENT or NOTICE OF INFORMAL PATENT APPLICATION (PTO-152) which gives reason(s) why the oath or declaration is deficient.

6. ☒ CORRECTED DRAWINGS (as "replacement sheets") must be submitted.

    (a)☐ including changes required by the Notice of Draftsperson's Patent Drawing Review (PTO-948) attached

       1)☐ hereto or 2)☐ to Paper No./Mail Date _____ .

    (b)☒ including changes required by the attached Examiner's ~~Amendment~~ / Comment ~~or in the Office action of~~

    ~~Paper No./Mail Date~~ _____ .

Identifying indicia such as the application number (see 37 CFR 1.84(c)) should be written on the drawings in the front (not the back) of each sheet. Replacement sheet(s) should be labeled as such in the header according to 37 CFR 1.121(d).

7. ☐ DEPOSIT OF and/or INFORMATION about the deposit of BIOLOGICAL MATERIAL must be submitted. Note the attached Examiner's comment regarding REQUIREMENT FOR THE DEPOSIT OF BIOLOGICAL MATERIAL.

Attachment(s)

1. ☒ Notice of References Cited (PTO-892)

2. ☐ Notice of Draftperson's Patent Drawing Review (PTO-948)

3. ☐ Information Disclosure Statements (PTO-1449 or PTO/SB/08), Paper No./Mail Date _____

4. ☐ Examiner's Comment Regarding Requirement for Deposit of Biological Material

5. ☐ Notice of Informal Patent Application (PTO-152)

6. ☐ Interview Summary (PTO-413), Paper No./Mail Date _____ .

7. ☒ Examiner's Amendment/Comment

8. ☒ Examiner's Statement of Reasons for Allowance

9. ☐ Other _____ .

DETAILED ACTION

1.   This communication is in response to amendment filed
9/15/2004.

Response to Amendment

2.   Claim 1 has been amended per request.

3.   Claims 1-7 are pending and have been allowed.

Drawings

The drawings are objected due to certain defects as
explained below.

Figures 1,11,23, 27B-28,30, 32-34 do not have proper
margins. See 37CFR 18.4(g).

Figures 6A, 7-10, 12-18 and 21 have graphical content not
legible. See 37 CFR 1.48(p)

Reasons for Allowance

4.   The following is an examiner's statement of reasons for
allowance:

The claimed inventions pertain to a system for performing a
switch auction utilizing financial portfolios related to at
lease two traders.

The following prior art references have been deemed most relevant to the allowed claim(s):

Donner (EP 0 512 702 A2) teaches an automated currency market trading system for matching bids and offers and for performing credit filtering and credit line checks of one or both counter-parties to a trade. A central computer matches bids and offers based on the similarity or their parameter values.

Lupien (US 5,101,353) discloses a system wherein a formerly large, relatively static portfolio is manipulated (i.e., securities therein are sold and other securities are purchased) to take on risk in order to earn additional profits from spreads between offered prices and normal prices.

Donner and Lupien as discussed above as the Closest Prior art of record fails to teach or suggest a system for performing a switch auction utilizing financial portfolios related to a first trader and a second trader, which comprises the following feature:

Means for matching offsetting risk positions of the first and the second traders using a relative risk positions and an auction price, and based credit preferences of the first and the second traders, wherein the system comprises means for calculating the relative risk positions for the first and the second traders based on financial instrument portfolios.

Any comments considered necessary by applicant must be submitted no later than the payment of the issue fee and, to avoid processing delays, should preferably accompany the issue fee. Such submissions should be clearly labeled "Comments on Statement of Reasons for Allowance."

Conclusion

The prior art made of record and not relied upon is considered pertinent to applicant's disclosure.

Dembo (US Pat. 5799287) discloses a method and apparatus for determining an optimal replicating portfolio for a given target portfolio involves an initial step wherein a user defines a target portfolio to be replicated, a set of available market instruments from which the replicating portfolio may be created, a set of future scenarios, a horizon date, and a minimum profit to be attained. A representation of the trade-off between risk and expected profit for some arbitrary replicating portfolio is then determined and used to calculate a maximum risk-adjusted profit.

Atkins (US Pat. 5644727) discloses a method and apparatus which provides an integrated financial product package together with a system of exchange, investment and borrowing that

incorporates personal financial analysis, planning and management.

Garman (EP 0 790 568 A1) teaches a system and method for determination of incremental value at risk for securities trading.
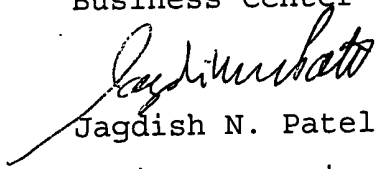
Litterman et al.; Managing Market Exposure, Journal of Portfolio Management, v22, n4, p32 (16), summer 1996 discloses a model for evaluating asset correlations and volatilities to enhance portfolio management and computing investment performance during market rallies. The model was applied in determining and market risk in global bond fund management and global bond trading scenarios.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to JAGDISH PATEL whose telephone number is (703)308-7837. The examiner can normally be reached on 800AM-600PM M-Th.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Vincent Millin can be reached on (703)308-1065. The fax phone number for the organization where this application or proceeding is assigned is 703-872-9306.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see http://pair-direct.uspto.gov. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

Jagdish N. Patel

(Primary Examiner, AU 3624)

12/21/04